

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

BLACK LOVE RESISTS IN THE RUST by and through its Co-Directors Natasha Soto and Shaketa Redden and on behalf of its members; DORETHEA FRANKLIN; TANIQUA SIMMONS; DE'JON HALL; JOSEPH BONDS; CHARLES PALMER; SHIRLEY SARMIENTO; EBONY YELDON; and JANE DOE, individually and on behalf of a class of all others similarly situated;

Plaintiffs,

v.

Civil No.: 1:18-cv-00719-CCR

CITY OF BUFFALO, NY; BYRON B. BROWN, Mayor of the City of Buffalo, in his individual and official capacities; BYRON C. LOCKWOOD, Commissioner of the Buffalo Police Department, in his individual and official capacities; DANIEL DERENDA, former Commissioner of the Buffalo Police Department, in his individual capacity; AARON YOUNG, KEVIN BRINKWORTH, PHILIP SERAFINI, ROBBIN THOMAS, UNKNOWN SUPERVISORY PERSONNEL 1-10, UNKNOWN OFFICERS 1-20, each officers of the Buffalo Police Department, in their individual capacities.

Defendants.

**STIPULATED MOTION FOR ADJOURNMENT
OF DEADLINES IN CASE MANAGEMENT ORDER**

The Parties respectfully move to amend the scheduling order to extend all deadlines by approximately one month. The proposed schedule is as follows:

Deadline	Current Date	Modified Date
Completion of fact discovery	October 30, 2023	November 22, 2023
Motion to compel discovery	October 30, 2023	November 29, 2023
Class certification motion	November 10, 2023	January 17, 2024

Deadline	Current Date	Modified Date
Service of initial expert reports	December 6, 2023	January 17, 2024
Service of Rebuttal expert reports	January 5, 2024	February 9, 2024
Completion of all expert discovery	January 26, 2024	February 28, 2024
Dispositive Motions	February 23, 2024	March 22, 2024

In support of this motion, the Parties state as follows:

1. Under the present schedule, the deadline for completion of fact discovery and any accompanying motion to compel is October 30, 2023. The Court has set additional deadlines, leading to a dispositive motion deadline of February 23, 2024.

2. The Parties continue to proceed with depositions. With respect to plaintiff depositions, the Parties have completed the depositions of all plaintiffs.

3. With respect to defendant and non-party depositions sought by plaintiffs, the only remaining depositions are those of Mayor Byron Brown, two FRCP 30(b)(6) witnesses, and one non-party witness. All of the remaining depositions have been scheduled. Mayor Brown's deposition is scheduled for November 6, 2023. The remaining FRCP 30(b)(6) witnesses are BPD Captain Patrick J. Humiston and former BPD Commissioner Daniel Derenda. Captain Humiston's deposition is scheduled for November 17, 2023. Commissioner Derenda's deposition is scheduled for November 22, 2023. Non-party witness Officer Charles Miller's deposition was originally taken on June 2, 2023. His deposition is scheduled to be completed on November 8, 2023, with only one hour remaining.

4. The Parties are working together to complete discovery as expeditiously as possible; however, a recent bout of COVID-19 suffered by Defense Counsel has caused a delay. Due to the complex nature of the claims and defenses, and the breadth of FRCP 30(b)(6) topics

that Plaintiffs have identified, the Parties require additional time to complete discovery. Also, given the 30(b)(6) witnesses' work schedules and the amount of time it will take to adequately prepare the witnesses to testify on the topics enumerated by Plaintiffs, additional time for discovery is required.

5. Accordingly, the Parties respectfully request the modifications set forth above.

6. The Parties thank the Court in advance for its consideration of this request.

Dated: Buffalo, New York
October 24, 2023

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CERTIFICATE OF SERVICE

I hereby certify that on October 24, 2023, the above Stipulated Motion for Adjournment of Discovery Deadlines was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Western District's Local Rules, and/or the Western District's Case Filing Rules & Instructions upon all counsel registered through the ECF System.

/s/ Peter Sahasrabudhe